



Atty. Dkt. No. 023597-0110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gregory S. Hamilton et al.

Title: COMPOUNDS HAVING SIMULTANEOUS ABILITY TO BLOCK
L-TYPE CALCIUM CHANNELS AND TO INHIBIT
PHOSPHODIESTERASE TYPE 3 ACTIVITY

Appl. No.: 10/679,303

Filing Date: 10/07/2003

Examiner: (not yet assigned)

Art Unit: 1625

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, within three (3) months of the mailing date of the foreign search report, and within thirty (30) days of receipt of the foreign search report.

RELEVANCE OF EACH DOCUMENT

All documents listed on the attached PTO/SB/08 were cited in an International Search Report, copy attached, for the corresponding PCT application. Since the following references cited in the International Search Report were previously submitted in an Information Disclosure Statement filed on January 30, 2004, copies of the references are not being submitted herewith:

US 5,100,892

US 4,564,619

An English-language translation of the foreign-language documents is not readily available. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609). English language abstracts are attached.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

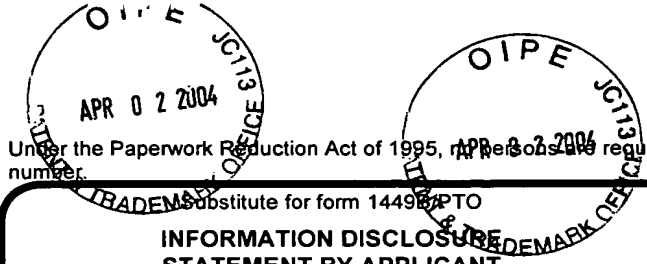
Respectfully submitted,

Date 4/2/04

By Suet M. Chong

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MODIFIED PTO/SB/08 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449 PTO
**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/679,303
Filing Date	10/07/2003
First Named Inventor	Gregory S. Hamilton
Group Art Unit	1625
Examiner Name	(not yet assigned)
Attorney Docket Number	023597-0110

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,344,944		FRANCKOWIAK ET AL.	09/06/1994	
	A2	4,898,865		FRANCKOWIAK ET AL.	02/06/1990	
	A3	4,876,255		FRANCKOWIAK ET AL.	10/24/1989	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A4	EP	0 287 867	A1	BAYER AG	10/26/1988		ABS.
	A5	EP	0 287 866	A1	BAYER AG	10/26/1988		ABS.
	A6	EP	0 185 964	A2	BAYER AG	07/02/1986		ABS.
	A7	EP	0 503 079	A1	KAKEN PHARMACEUTICAL CO.	09/16/1992		
	A8	DE	101 10 747	A1	BAYER AG	09/12/2002		ABS.
	A9	EP	0 268 273	A2	WARNER-LAMBERT COMPANY	05/25/1988		
	A10	EP	0 189 254	A1	PFIZER LIMITED	07/30/1986		
	A11	EP	0 119 050	A2	PFIZER LIMITED	09/19/1984		
	A12	EP	0 116 769	A1	PFIZER LIMITED	08/29/1984		
	A13	EP	0 132 375	A2	PFIZER LIMITED	01/30/1985		
	A14	EP	1 302 463	A1	YAMANOUCHI PHARMACEUTICAL CO. LTD.	04/16/2003		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A15	FOREST ET AL., "A Novel Class of Cardiotonic Agents: Synthesis and Biological Evaluation of 5-Substituted 3,6-Dihydrothiadiazin-2-ones with Cyclic AMP Phosphodiesterase Inhibiting and Myofibrillar Calcium Sensitizing Properties", <i>Journal of Medicinal Chemistry</i> , American Chemical Society, Vol. 35, No. 1, 1992, pp. 163-172, XP002146828, ISSN: 0022-2623.	
	A16	RUMP ET AL., "Effects of Different Inotropes with Antioxidant Properties on acute Regional Myocardial Ischemia in Isolated Rabbit Hearts", <i>General Pharmacology</i> , Pergamon Press, Oxford, GB, Vol. 26, No. 3, 1995, pp. 603-611, XP000926014, ISSN: 0306-3623.	
	A17	BARALDI ET AL., "Synthesis and Calcium Antagonist Activity of Dialkyl 1,4-Dihydro-2,6-Dimethyl-4-(Nitrogenous Heteroaryl)-3,5-Pyridine Dicarboxylates", <i>Collect. Czech. Chem. Commun.</i> , Vol. 57, 1992, pp. 169-178, XP009023953.	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/679,303
				Filing Date	10/07/2003
				First Named Inventor	Gregory S. Hamilton
				Group Art Unit	1625
				Examiner Name	(not yet assigned)
Sheet	2	of	2	Attorney Docket Number	023597-0110

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A18	ALKER ET AL., "Long Action Dihydropyridine Calcium Antagonists", <i>Journal of Medicinal Chemistry</i> , Vol. 33, 1990, pp. 585-591, XP002267026.	

Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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